

RESOLUTION NO. 47-22

FILED

2022 JUL 26 PM 2: 08

WHEREAS, the Board of Directors of the City of Siloam Springs, Arkansas (the "City") has passed Ordinance No. 22-15 on July 19, 2022 ("Ordinance No. 22-15") and

WHEREAS, the Board of Directors desires to refer Ordinance No. 22-15 to the voters for approval or rejection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the City of Siloam Springs, Arkansas:

Section 1. That there is hereby called a special election to be held on November 8, 2022, in conjunction with the General Election, at which election there shall be submitted to the electors of the City the question of whether Ordinance No. 22-15 shall be approved or rejected.

Section 2. That the question of approving or rejecting Ordinance No. 22-15 shall be placed on the ballot in substantially the following form:

ORDINANCE NO. 22-15

AN ORDINANCE AMENDING ORDINANCE NO. 1030 IN ORDER TO AUTHORIZE THE NET COLLECTIONS RECEIVED BY THE CITY OF SILOAM SPRINGS, ARKANSAS FROM THE 1% SALES AND USE TAX LEVIED WITHIN THE CITY BY ORDINANCE NO. 1030 TO BE USED AS FOLLOWS: FOR NET COLLECTIONS RECEIVED FROM NOVEMBER 1, 2023 UNTIL AMENDED OR REPEALED, FORTY PERCENT (40%) FOR THE CONSTRUCTION AND MAINTENANCE OF STREETS; TWENTY PERCENT (20%) FOR PUBLIC SAFETY PURPOSES RELATED TO OPERATION AND MAINTENANCE, TO INCLUDE BUT NOT BE LIMITED TO COSTS OF PERSONNEL AND FOR CONSTRUCTION, RECONSTRUCTION, EXPANSION, IMPROVEMENT AND REPAIR OF EQUIPMENT AND CAPITAL ASSETS OF THE FIRE DEPARTMENT; TWENTY PERCENT (20%) FOR PUBLIC SAFETY PURPOSES RELATED TO OPERATION AND MAINTENANCE, TO INCLUDE BUT NOT BE LIMITED TO COSTS OF PERSONNEL AND FOR CONSTRUCTION, RECONSTRUCTION, EXPANSION, IMPROVEMENT AND REPAIR OF EQUIPMENT AND CAPITAL ASSETS, OF THE POLICE DEPARTMENT; AND TWENTY PERCENT (20%) FOR GENERAL FUND PURPOSES; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.

FOR Ordinance No. 22-15.....☐

AGAINST Ordinance No. 22-15.....☐

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FOR Ordinance No. 22-15.....☐

AGAINST Ordinance No. 22-15.....☐

2022-2609

Section 3. That the election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for municipal elections and only qualified voters of the City shall have the right to vote at the election.

Section 4. That the results of the election shall be proclaimed by the Mayor and her Proclamation shall be published one time in a newspaper having a general circulation in the City, which Proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the courts within thirty days after the date of publication.

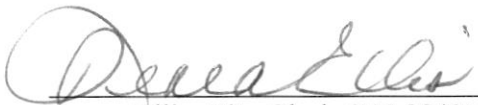
Section 5. That a copy of this Resolution shall be (a) filed with the Benton County Clerk at least 60 days prior to the election date and (b) given to the Benton County Board of Election Commissioners so that the necessary election officials and supplies may be provided.


Section 6. That the City Administrator and City Clerk, for and on behalf of the City, are hereby authorized and directed to do any and all things necessary to call and hold the special election as herein provided.

RESOLVED this 19th day of July 2022

ATTEST:

APPROVED:


Renea Ellis, City Clerk CAMC/CMC


Judy Nation, Mayor

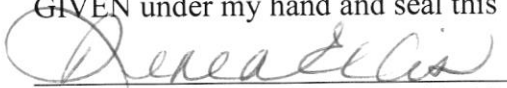
{Seal}



CERTIFICATE

The undersigned, City Clerk of Siloam Springs, Arkansas, hereby certifies that the foregoing pages are a true and perfect copy of Resolution No. 47-22, passed at a regular session of the Board of Directors of Siloam Springs, Arkansas, held at the regular meeting place of the Board of Directors at 6:30 o'clock p.m., on the 19th day of July 2022, and that the Resolution is of record in Record Book No. 29, now in my possession.

GIVEN under my hand and seal this 19th day of July 2022.


Renea Ellis, City Clerk CAMC/CMC

{Seal}



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2022 JUL 26 PM 2:08
BETSY HARRELL
CLERK & PROBATE CLERK
BENTON COUNTY, AR

2022 2609 A

FILED

2022 JUL 26 PM 2:07
BETTY FARNELL
CLERK OF PROBATE
BENTON COUNTY, AR
AN ORDINANCE AMENDING ORDINANCE NO. 1030, AUTHORIZING
A CHANGE IN THE PERCENTAGE OF ALLOCATION OF THE ONE
PERCENT (1%) CITY WIDE SALES AND USE TAX TO TAKE EFFECT
UPON THE EXPIRATION OF ORDINANCE NO. 13-15 ON OCTOBER 31,
2023; AUTHORIZING MAKING SAID ALLOCATION PERMANENT;
AND FOR OTHER MATTERS PERTAINING THERETO.

WHEREAS, the levy of a one percent (1%) citywide sales and use tax is provided for in Title 26, Chapter 75, Subchapter 3 of the Arkansas Code of 1987 Annotated (the "Authorizing Legislation"); and

WHEREAS, on or about February 24, 1981, the Board of Directors of the City of Siloam Springs, Arkansas approved and adopted Ordinance No. 1030 authorizing the levy and distribution of a permanent one (1%) percent city-wide sales and use tax, said ordinance being thereafter ratified by municipal election held March 24, 1981; and

WHEREAS, Ordinance No. 1030 provides that collections of the Tax received by the City should be used as follows: 80% for the construction and maintenance of streets; and 20% for general fund purposes (the Street and General Fund Purposes"); and

WHEREAS, the distribution of revenues generated from the sales and use tax were re-allocated for specific purposes pursuant to Ordinance No. 13-25, which was adopted on or about June 4, 2013, and which is scheduled to expire October 31, 2023; and

WHEREAS, upon expiration of Ordinance 13-25, distribution of the sales and use tax revenues will revert to the Street and General Fund Purposes as established by Ordinance No. 1030; and

WHEREAS, said allocation of revenues is not now consistent with the current needs of the city and should be amended to reflect the most appropriate distribution of the one percent (1%) citywide sales and use tax to better effectively benefit the City of Siloam Springs; and

WHEREAS, the Board of Directors desire to authorize amending, via municipal election, Ordinance No. 1030 to redesignate the usage of the Tax collection as provided herein.

NOW, THEREFORE, BE IT Ordained by the Board of Directors of the City of Siloam Springs
as follows:

Section 1. Amendment. That Section 2 of Ordinance No. 1030 is hereby amended to read as follows:

2022 2610

"Section 2. That the net collections of the Sales and Use Tax received after the deduction of the administrative charges of the State of Arkansas and required rebates ("Net Collections") shall be used as follows: (A) for net collections received from November 1, 2023 and thereafter: Forty percent (40%) of the Net Collections to be used for the construction and maintenance of roads and streets; Twenty percent (20%) of the Net Collections to be used for public safety purposes related to operation and maintenance, to include but not be limited to costs of personnel and for construction, reconstruction, expansion, improvement and repair of equipment and capital assets, of the Fire Department of the City of Siloam Springs, Arkansas; Twenty percent (20%) of the Net Collections to be used for public safety purposes related to operation and maintenance, to include but not be limited to costs of personnel and for construction, reconstruction, expansion, improvement and repair of equipment and capital assets, of the Police Department of the City of Siloam Springs, Arkansas; and Twenty percent (20%) of the Net Collections to be used for general fund purposes."

Section 2. Administrative corrections. The city attorney is hereby authorized to make grammatical and stylistic corrections to this ordinance that do not affect the substance thereof.

Section 3. Repealer and severability. That the provisions of this Ordinance are hereby declared to be separable, and if any provision of a section of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications of the section or related sections which can be given effect without the invalid provision or application, and to this end the provisions are severable.

Section 3. Effect. That Ordinance No. 1030, as amended hereby, shall remain and be in full force and effect, subject to an election held on the question of allocating the proceeds of the Sales and Use Tax at which a majority of the electors voting on the question shall have approved the allocation.

Done and Ordained this 19th day of July 2022.


ATTEST:


Renea Ellis, City Clerk CAMC/CMC

(SEAL)



APPROVED:


Judy Nation, Mayor



2022 JUL 26 PM 2:07
BETSY HARRELL
CLERK & PROBATE CLERK
BENTON COUNTY, AR

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FILED

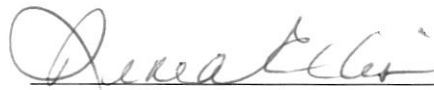
2022 JUL 26 PM 2:07

CERTIFICATE

BETSY HARRELL
CO & PROBATE CLERK
BENTON COUNTY, AR

I, Renea Ellis, the duly appointed, qualified and acting City Clerk of Siloam Springs, Arkansas, do hereby certify that the above and foregoing Ordinance 22-15, is a true and correct copy of the ordinance as the same appears of record in said City, adopted at a regular meeting of the Board of Directors of Siloam Springs, held on the 19th day of July 2022, at which meeting a quorum of the Board of Directors was present, and said Ordinance was approved by a 7/0 vote.

Witness my hand and seal as City Clerk of Siloam Springs on this 26th day of July 2022.



Renea Ellis, City Clerk, CAMC/CMC

(SEAL)



2022-2611